

**REMARKS**

Reconsideration and allowance of this application are respectfully requested. Claims 26, 28, 30 and 32 are cancelled. Claims 1-25, 27, 29 and 31 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

Claims 1, 8, 14 and 20 have been amended to place the application in condition for allowance by incorporating the limitations previously called for in cancelled claims 26, 28, 30 and 32, respectively, and in their intervening claims. Therefore, no new issues that require further consideration or search are presented by these changes. Further, claims 2-7, 9-13, 15-19, 21-25, 27, 29, 31 and 33 have been amended solely to maintain proper antecedence. No new matter has been added by these changes. It is therefore submitted that the present Amendment should be added.

In the Office Action, the Examiner rejected claims 1, 8 and 20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1, 8 and 20 have been amended to recite "A processor implemented method...". It is therefore submitted that claims 1, 8 and 20 are in full compliance with the requirements of 35 U.S.C. § 101.

Claims 20, 21, 22, 25, 32 and 33 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hind (U.S. Patent No. 6,635,088). Applicant submits, however, that the claims are patentably distinguishable over Hind.

The Examiner contends that Hind teaches sorting the plurality of character strings in order of their appearance frequency in the script. The Hind patent, however, describes a compression technique in which the data between the tags are tested to determine if a string is present between any two of the tags. Whenever a string is located in the file, a counter is incremented. Then, a calculation is carried out using the

*number of occurrences of the string* to determine whether it is cost effective to replace the occurrences of that string. (See Figs. 4A-4B; Col. 10, lns. 45-54; and Col. 11, lns. 20-43.) Hind does not disclose or suggest *sorting character strings* according to the number of occurrences of each string.

Therefore, Hind does disclose or suggest:

*sorting the plurality of character strings in order of their appearance frequency in the script*

as called for in claim 20.

It follows that Hind does not disclose or suggest the combination called for in claim 20 and therefore does not anticipate the claim.

Claims 21, 22, 25 and 33 depend from claim 20 and, for at least the same reasons, are patentably distinguishable over Hind.

Claim 32 is cancelled.

Accordingly, the withdrawal of the rejection under 35 U.S.C. § 102(e) is respectfully requested.

Claims 1-4, 7-10, 13-16, 19, 26-29, 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hind in view of Porter (U.S. Patent No. 6,163,811). It is submitted, however, that the claims are patentably distinguishable over the cited references.

Claim 1 is directed to a processor implemented method of forming distribution content and includes limitations similar to those set out in claim 20. Claim 1 is therefore patentably distinguishable over Hind for at least the same reasons.

The Porter Patent relates to the substitution of operands present in a source file with corresponding tokens. The patent does not remedy the deficiencies of Hind.

It follows that neither Hind nor Porter, whether taken alone or in combination, discloses or suggests the method set out in claim 1. Therefore, claim 1 is patentably distinct and

unobvious over the cited references.

Claims 2-4, 7 and 27 depend from claim 1 and are distinguishable over the cited art at least for the same reasons.

Independent claim 8 is directed to a processor implemented method of distributing content and includes limitations similar to those recited in claim 1. Claim 8 is therefore patentably distinguishable over Hind and Porter for at least the same reasons.

Claims 9-10, 13 and 29 depend from claim 8 and, for at least the same reasons, are distinguishable over the cited references.

Independent claim 14 defines an apparatus for distributing content and includes limitations similar to those defined in claim 1. For at least the same reasons, claim 14 is patentably distinguishable over Hind and Porter.

Claims 15-16, 19 and 31 depend from claim 14 and, at least for the same reasons, are distinguishable over the cited art.

Claim 26, 28 and 30 are cancelled.

The Examiner also rejected claims 5-6, 11-12 and 17-18 under 35 U.S.C. § 103(a) as being unpatentable over Hind in view of Porter and further in view of Bodin (U.S. Patent No. 6,311,223). However, it is submitted that the claims are patentably distinguishable over the cited art.

Claims 5-6 depend from claim 1, claims 11-12 depend from claim 8, and claims 17-18 depend from claim 14, and each is distinguishable over Hind and Porter for at least the same reasons.

The Bodin Patent describes the removal of comments in an HTML file. Bodin does not remedy the deficiencies of Hind and Porter.

Accordingly, the withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By

  
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